

Nebraska Department of Roads
Request for Proposal
Construction Engineering On-call
Services for Local Public Agencies



October 2015

GENERAL

In accordance with Nebraska Consultants' Competitive Negotiation Act (Neb. Rev. Stat. §81-1712), the Brooks Act (40 USC 544), and 23 CFR 172.5, the State of Nebraska, Department of Roads (NDOR), is issuing a Request for Proposal (RFP) for **Construction Engineering On-call Services for Local Public Agencies (LPA)**. Qualified consultants are invited to submit a proposal with a statement of qualifications as outlined below. NDOR's website referred to in this document is located at www.transportation.nebraska.gov/rfp/.

All consultants interested in doing work for the NDOR are strongly encouraged to review the NDOR's template [Master IDIQ Agreement for CE Services](#) and [Insurance Requirements for Professional Service Providers](#) prior to responding to this RFP. These documents can be found on NDOR's website.

The NDOR is seeking proposals from consulting engineering firms who wish to be considered to provide these services. The services include construction management and inspection for Local Federal-Aid projects. The selected Consultant will be required to follow the [LPA Guidelines Manual for Federal-Aid Projects](#) and all applicable Federal, State, and Local requirements and procedures.

This RFP does not commit the NDOR to pay any costs incurred in the preparation of a proposal for this request, execute an agreement, or to procure or contract for services. The NDOR reserves the right to execute agreements with more than one qualified firm, to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified firm, or to modify or cancel in part or in its entirety the Request for Proposal, if it is in the best interest of the NDOR to do so.

SCOPE OF SERVICES

On-Call Construction Engineering Services for NDOR Administered Local Federal-Aid projects Statewide: Standard Work Categories 109, 202, 204 and 205. Information regarding the Standard Work Categories is available on the NDOR's website.

The Consultant services generally include, but are not limited to: project management; construction engineering; pre-construction staking; traffic control plans; conducting the preconstruction conference; construction staking and inspection, and materials sampling and testing during project construction; monitoring environmental commitments; preparing as-built plans; progress computations; final computations; preparing contractor change orders and work orders; and all project communications, including any necessary communication regarding federal-funding project eligibility questions, issues and concerns. The required construction engineering services are further defined in each Task Order.

The Consultant shall review and have a working knowledge of the project plans, special provisions, standard specifications (the Standard Specifications for Highway Construction of NDOR (Current Edition), change orders and all other project related contract documents for the construction of LPA's Federal-Aid project. The project plans, special provisions, standard specifications, and other contract documents are hereby incorporated by reference into this

agreement, as if they were fully set forth herein, and collectively, may be referred to as the Construction Contract Documents. Consultant shall assume the duties of "Inspector", (also referred to in the NDOR Construction Manual as "Construction Technician"); "Project Manager;" and also "Engineer" (unless the context of use of the term "Engineer" would otherwise require), as those terms are defined and duties set out in the Standard Specifications for Highway Construction (2007 Edition). Consultant shall assume that it is responsible for all duties of the "Engineer" unless notified otherwise by NDOR.

Additionally, Consultant shall review and have a working knowledge of the following authoritative guides and manuals related to highway construction, materials and federal aid reimbursement:

- (1) NDOR Construction Manual - Current Edition
- (2) Materials Sampling Guide (NDOR)
- (3) Standard Methods of Tests – 2006 (NDOR)
- (4) The LPA Manual
- (5) The Manual on Uniform Traffic Control Devices
- (6) AASHTO Standard Specifications for Transportation Materials and Methods of Sampling and Testing
- (7) The ASTM Standards
- (8) NDOR Final Review Manual

These documents, collectively, may be referred to as the Manuals. Unless required otherwise by the Construction Contract Documents, Consultant shall be responsible for timely completion of all applicable checklists, tests, samples, duties, requirements and provisions of the Manuals. The Manuals will be used to determine what, when, how, the sequence, and other details of the work that must be provided by Consultant, whenever Consultant's duties in these respects are not clearly set out in the Construction Contract Documents. Consultant shall employ a sufficient number of qualified employees on the project to adequately observe, monitor, inspect, measure, manage, document, report and carry out the other duties of this agreement, so that the project is constructed by the contractor in compliance with the Construction Contract Documents, the Manuals, State and Federal law, rule or regulation and policy. Consultant shall fulfill all contract duties of inspection, project management and construction engineering for the project in a timely manner and shall communicate regularly about the progress of the construction with the LPA, through the RC, and, when appropriate for federal funding or eligibility issues, the State representative.

The Consultant is required to use Trans*Port Site Manager as the construction record-keeping system for Services under this contract.

The Consultant shall be present at the project site when appropriate for each applicable phase of construction to inspect, observe, monitor, measure, manage, document and report on the progress of the work or as otherwise specially agreed to by the LPA.

The parties understand that the Consultant is not responsible for the Contractor's means and methods of construction. To the extent the Construction Contract Documents and the Manuals specify sequencing of work, equipment requirements, or other construction methods, the Consultant shall keep the Owner's RC informed about the progress and quality of the portion of the work and shall advise the RC about observed or measured deficiencies in the work.

DETAILS

It is anticipated a minimum of eight (8) firms will be awarded an agreement under the Indefinite Delivery Indefinite Quantity (IDIQ) or "on-call" procurement process. The contract period covered by this RFP is for fiscal years 2016 and 2017. Typical Task Order amounts that will be awarded under this IDIQ contract are unknown at this time, but may range from \$50,000 to \$1,000,000.

Individual Task Orders may be Cost Plus Fixed Fee or Time and Materials agreements. The two-year contract term (no extensions) will have a guaranteed contract minimum value of \$5,000 with a maximum value of \$2,000,000.

The State reserves the right to abandon or terminate any contract at any time and either re-advertise services or utilize its own forces. The State also reserves the right to accomplish services for future phases on all projects with the selected consultant, select another consultant, or utilize its own forces.

A minimum of ten (10) firms will be short-listed for interviews. The evaluation criteria to be used for the short-listing and final selection are outlined below. The information provided in response to the evaluation criteria will receive higher scoring if performed within the last 5 years.

EVALUATION CRITERIA

Short List (100 pts)

1. Qualifications (45 pts)

- Level of understanding and experience with Trns•port Site Manager software, construction inspection services, and Federal Aid procedures and requirements for transportation construction projects.
- Firm organizational chart of personnel that will be working on the project.

2. Performance Data (45 pts)

- Firm has provided a client reference list and contacted reference feedback has been positive.
- NDOR's experience with firm on previous or related work within the last 5 years.

3. Understanding of the Project (10 pts)

- Firm has demonstrated understanding of key elements of federally funded construction engineering projects.
- Firm has provided comparable services with which they, and current staff, have been involved.

Final Selection (100 pts)

1. Qualifications (30 pts)

- Level of understanding and experience by the consultant's project manager and inspection staff with Trns•port Site Manager software, construction inspection services, and materials testing requirements.
- Firm organizational chart of personnel that will be working on the project.

2. Performance Data (30 pts)

- Firm has provided a client reference list and contacted reference feedback has been positive.
- NDOR's past experience with firm on previous, similar work within the last 5 years.

3. Understanding of the Project (20 pts)

- Firm has demonstrated understanding of federally funded construction engineering projects.
- Firm has provided similar services on previous federal aid construction projects

with which they have been involved.

4. Quality of Interview (20 pts)

- Questions were clearly and concisely answered by consultant.
- The consultant addressed evaluation criteria listed.

SCHEDULE OF ACTIVITIES

Schedule of Activities	Date (2015)	Time (CST)
RFP Posted	October 21 - November 12	
Final Updates to RFP	November 4	5:00 PM
DR Form 497 on File at NDOR	November 12	5:00 PM
Drug-Free Workplace Policy on File at NDOR*	November 12	5:00 PM
Proposals Due	November 12	5:00 PM
Short-List Firms	November 25	5:00 PM
Interviews	December 4	12:30 PM – 4:30 PM
Post Final Selections	December 9	5:00 PM

* Please submit the Drug-Free Workplace Policy separate from the response to this RFP.

NOTE: The Drug-Free Workplace Policy is a onetime submittal to the NDOR. Please do not re-submit this document unless your Policy has changed or you never have submitted this document with a previous proposal.

IDIQ ORDERING PROCEDURES

When ordering specific on-call design services the State will consider each selected firm's proposal along with any performance data on file with the State. The State will consider the firms qualification, experience, and past performance.

1. State will request engineering services in accordance with 48 CFR 16.505. in order to:
 - a. Ensure that all selected consulting firms have a fair opportunity to be considered for each task order
 - b. Provide for minimum task order requirements specified in the RFP
 - c. Maintain an even distribution of work among the selected firms
 - d. Consider the potential impact on the other orders placed with the firm
 - e. Match the project's required services with selected firms unique qualifications
2. Upon selection, State will prepare a Task Order Agreement that will incorporate the provisions of the Master Agreement by reference and includes some or all of the following performance details:
 - a. Detailed scope of work,
 - b. Detailed description of deliverables,
 - c. Description of performance/quality measures
 - d. Time line for delivery of services
3. Order Limitations Clause as stated in 48 CFR 52-218-19:
 - a. Minimum Order: When the State requires services covered by the Master Agreement in an amount of less than \$5,000, the State is not obligated to purchase, nor is the consultant obligated to furnish, those services under the Master Agreement.
 - b. Maximum Order: The consultant is not obligated to honor:
 - i. Any order for a single item in excess of \$50,000 or

- ii. Any order for a combination of items in excess of \$500,000 per term.
- c. Notwithstanding the Minimum and Maximum Order paragraphs above, the consultant shall honor any order exceeding the maximum order limitations, unless that order (or orders) is returned to the ordering office within 7 days after issuance, with written notice stating the Consultant's intent not to provide the services called for and the reasons. Upon receiving this notice, the State may assign the services to another consultant.

Please do not call or write NDOR staff for information regarding the services in this RFP. Email all inquiries/questions to Randy Eldorado, Consultant Services Engineer, at: randy.eldorado@nebraska.gov or call (402)479-4778.

The NDOR will not hold a briefing. All project related information is contained within this RFP and on the NDOR's website. If additional information is deemed necessary, it will be posted on the same web page as this RFP and will be labeled as "Update." Firms interested in this RFP are responsible for checking for updated information. No updates will be posted after the date specified in the SCHEDULE OF ACTIVITIES.

Other relevant information on NDOR's web site includes the following:

1. [Master IDIQ Agreement for CE Services](#)
2. [Drug Free Workplace Policy Example](#)
3. [DR Form 498, "Architect, Engineer, & Related Services Supplement to Statement of Qualifications"](#)

Interested firms must have a current [DR Form 497, "Architect, Engineer, and Related Services Certification Form"](#) on file with the NDOR prior to the date specified in the SCHEDULE OF ACTIVITIES.

While the "Drug-Free Workplace Policy" is not a submittal requirement, all firms must have an acceptable "Drug-Free Workplace Policy" on file prior to the date specified in the SCHEDULE OF ACTIVITIES.

SUBMITTAL OF PROPOSALS

Submittals are to include the following in the order given below:

1. Front cover to include the Prime Consultant, Sub-consultants (if applicable), and title of project/service.
2. A letter of interest not to exceed one (1) page.
4. Organizational Chart not to exceed one (1) page.
5. A narrative responding to the established evaluation factors not to exceed five (5) pages.
6. A maximum of five (5) pages of additional supportive material such as charts, tables, resumes, or photos.
7. DR Form 498 not to exceed six (6) pages for the prime Consultant and six (6) pages for each sub-consultant. A separate DR Form 498 must be submitted for each sub-consultant to be used. This information should emphasize federal aid construction engineering projects contracted with the firm in the last five years using staff currently employed by the submitting firm.
8. Proof of Insurance for the prime consultant and any subconsultant.

Additional submittal requirements are:

1. All material in the submittal must be on 8½ x 11 paper printed on one (1) side, single or double spaced.
2. Submittal covers and dividers between the sections are allowed and not included in the page limit.
3. Fold-out pages are not allowed.
4. Submittals are to be stapled in the upper left corner or spiral bound. No 3-ring binders.

Six (6) copies of the submittal must be sent to the following:

Consultant Services Engineer
Nebraska Department of Roads
Planning and Project Development Division 1500
Highway 2
PO Box 94759
Lincoln NE
PO Box ZIP Code: 68509-4759 Shipping ZIP Code: 68502

An electronic version of the Consultant's proposal is not a submittal requirement. However, those firms short-listed will be required to submit an electronic copy of their proposal in PDF format.

All information must be received by 12:00 p.m. (noon) on Thursday, November 12, 2015. No exceptions to this deadline will be given. State offices are closed Wednesday, November 11, Veterans Day.

INTERVIEWS

The short-listed firms will be notified of the interview time and duration via posting on NDOR's website. Interviews will be by telephone and will be capped at 20 minutes max, 15 minutes for the consultant's presentation followed with 5 minutes of questions by selection committee members and answers by the consultant. Short-listed firms will need to provide their interview presentation in pdf format for the telephone interview.

The NDOR will make every effort to post the short-listed firms and the interview schedule on the NDOR's website by **5:00 p.m. on Tuesday, November 24, 2015.**

The NDOR's selection committees will conduct interviews with the short-listed firms on **Friday, December 1, 2015**, from 12:30 to 4:30.

Upon completion of all the interviews and Director approval, the selected firms will be notified by posting of final selection on NDOR's website. The NDOR will make every effort to post the final selections on the NDOR's website by **5:00 p.m. on Wednesday, December 9, 2015.**

Kyle Schneweis, P.E., Director
Nebraska Department of Roads

EQUAL OPPORTUNITY EMPLOYER